

**REMARKS*****Claim Status***

Currently, Claims 1 – 20 are pending.

***General Remarks***

The Examiner initially advises Applicant to clearly define the term “public transport timetable,” for example, as bus schedule, and to specifically point out the phrase “obtaining current locations of public transport.” However, it is not clear to Applicant whether this is an invitation to explain this term and phrase by means of remarks or constitutes an objection under 35. U.S.C. § 112. Applicant notes that the Examiner does not refer to a particular claim. Applicant respectfully requests clarification.

For the sake of completeness, Applicant submits that the term “public transport timetable” refers to a schedule for any type of public transportation. A particular reference to a bus schedule would unduly limit the scope of the claims. Examples of some types of public transportation are buses, trains and airplanes, as described in the present specification. (E.g., bus-train timetable on page 5, and example on page 6, lines 19 – 32.) Accordingly, the claimed invention is not limited to bus schedules, but includes train and flight schedules, as well.

As to the phrase “obtaining current locations of public transport” Applicant submits that Claim 1 and Claim 7 each define that the current locations of public transport are available from the control facilities. (Limitation e) of Claim 1 and limitation d) of Claim 7.) Thus, it is clear that the location of the vehicle is determined by the control facilities.

In this regard, the present specification explains that current positions of the relevant means of public transport are known to the route control facilities for public transport. (Page 2, lines 25-26.) Further, the specification explains that the location of an airplane is determined by the air traffic control. (Page 6, lines 24-25.)

***Claim Rejections - 35 U.S.C. § 102***

The Examiner rejects Claims 1 – 12 and 15 – 20 under 35 U.S.C. § 102(e) as being anticipated by Cox (U.S. Pub. No. 2003/0216145.) Hence, the Examiner asserts that Cox discloses each and every limitation, for example, of the system of

independent Claim 1 and the method of independent Claim 7. Applicant traverses for the reasons set forth hereinafter.

Cox discloses a method of providing directional assistance to a telephone subscriber, i.e., a directory assistance center provides a caller with directions from a present location to a desired destination. (e.g., [0011], preamble of Claim 20.) Based on the present and desired locations, a routing algorithm searches the geographical and travel data stored on a data server and generates an appropriate route. ([0082]) The appropriate route depends on the callers preferences, such as most scenic route, shortest route or a desire to travel by train or boat. ([0079]) Data servers store information used to provide directions and comprise maps, information regarding roads (freeways, toll roads, etc.), railways, airports, seaports, construction activities, lodging, gas. ([0045])

Hence, Cox discloses essentially a routing system that generates an appropriate route based on stored data. In this regard, Applicant notes that the background section of the present specification already discusses routing systems that provide complete travel routes and additional information during a journey. (Page 1, lines 16 – 20.) Further, even though Cox mentions that a caller may prefer traveling by train (e.g., [0079]), Cox describes the routing system mainly with reference to an automobilist. As such, Cox does not disclose any particulars regarding the caller's preference for traveling by public transportation (e.g., train), for example, timetables, or route control facilities for public transport.

In contrast to Cox, and the systems mentioned in the background section, the system according to Claim 1, or the method according Claim 7, provide a traveler using public transportation with a location-dependent public transport table. More particularly, the system according of Claim 1 includes, among other means, means for assigning a current location to the communication device by the control computer, means for accessing current locations of public transport, which are available from the control facilities via the control computer, means for generating a location-dependent public transport timetable, and means for displaying the timetable at the mobile communication device. Hence, the system according to Claim 1 uses the current location of the communication device and the current locations of public transport to generate a location-dependent public transport timetable.

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In view of the foregoing Applicant respectfully submits that Cox fails to disclose or to suggest each and every limitation of Claim 1 or Claim 7, and, therefore, does not anticipate Claim 1 or Claim 7. Applicant respectfully requests the Examiner to pass Claims 1 and 7 to allowance.

Claims 2 – 6 depend from Claim 1, and Claims 8 – 20 depend from Claim 7. For this reason and because of the additional features recited in the dependent claims, Applicant respectfully submits that Cox does not anticipate Claims 2 – 6 and 8 – 20. Applicant respectfully requests the Examiner to pass Claims 2 – 6 and 8 – 20 to allowance.

***Claim Rejections - § 103***

The Examiner rejects Claims 13 – 14 under 35 U.S.C. § 103(a) as being unpatentable over Cox in view of Kageyama (U.S. 6,760,770). Applicant traverses. Claims 13 – 14 depend from Claim 7. The above arguments are repeated herein. Kageyama does not provide the missing teachings in Cox to anticipate nor render obvious Claims 1 or 7. Accordingly, at least for the above reasons, Claims 13 – 14 are also allowable and reconsideration and withdrawal of the rejections are respectfully requested.


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The present response is intended to correspond with the Revised Amendment Format. Should any part of the present response not be in full compliance with the requirements of the Revised Amendment Format, the Examiner is asked to contact the undersigned for immediate correction.

For the above reasons, Applicants respectfully submit that the application is in condition for allowance, and such allowance is herewith respectfully requested.

Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issues promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. Deposit Account No.: 502464 referencing docket no.: 2001P11472WOUS.

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